

## REMARKS/ARGUMENTS

### **35 USC §102**

The Office rejected **claims 7-9** as being anticipated by Zeller (U.S. Pat. No. 4,425,317). With respect to the examiner's apparent position that the combination of the lean solvent with the overhead vapor would be a process limitation, the applicant agrees (however, disagrees with the notion that the claim as such would be a product-by-process claim [see MPEP 2173.05(p) and 2113]) and amended claim 7 accordingly.

As amended, claim 7 (and claims 8-9 by virtue of their dependence on amended claim 7) expressly requires that "...a *conduit* fluidly coupled to the absorber and *configured to allow combination of a lean solvent with the overhead vapor* to so allow formation of the carbon dioxide saturated lean solvent, and a *cooler configured to allow cooling of the carbon dioxide saturated lean solvent* to thereby allow for increased selective absorption of the hydrogen sulfide from the feed gas in the lean solvent..." These elements are clearly not taught by Zeller. Indeed, Zeller's separator overhead is not combined with any other solvent and vented to the atmosphere (see *e.g.*, column 7, lines 20-27). Therefore, and at least for these reasons, claims 7-9 should not be deemed anticipated by or obvious over Zeller.

### **Request For Allowance**

Claims 1 and 3-20 are pending in this application. The applicant requests allowance of all pending claims.

Respectfully submitted,  
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Date: May 1, 2009

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